THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION NO.565 OF 2005

Between:

Padmanilaya Binny Rice Mill, Vechareni, Cherial, represented by its Managing Partner H.Balaiah, S/o.Laxmaiah, 44 years, Warangal District.

……..Petitioner

&

1.The Assistant Engineer, Operation/N.P.D.C.L., Cherial Town, Warangal District and three others.

……Respondents.

Dt.21.09.2005

O R D E R:

This writ petition is filed in the nature of Certiorari calling for the records pertaining to the impugned letter No.AE/OP/t/Cherial F.No/GRC/D.No.424/05 dated 18.01.2005 issued by the first respondent and quash the same by holding that the action of the respondents in demanding to pay an amount of Rs.1,25,618/- within 7 days when the petitioner's appeal dated 18.05.2004 is pending before the third respondent against the final assessment, the orders of the second respondent is highly illegal and arbitrary.

Taking into consideration the fact that an appeal is pending before the third respondent and appropriate decision has to be taken by him, without going into the merits of the case, the writ petition is disposed of directing the third respondent to dispose of the appeal in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

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K.C.BHANU J.,

Dt.21.09.2005

tjs